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LITIGATION BUREAU

December 11, 2023

By ECF

The Honorable Mae A. D'Agostino
U.S. District Court
Northern District of New York
445 Broadway
Albany, New York 12207

**Re: *New York State Rifle and Pistol Assoc., Inc., et al. v. Bruen, et al.*, 1:22-CV-0907
(N.D.N.Y.) (MAD/CFH)**

Dear Judge D'Agostino:

As directed by the Court, *see* text Order dated October 11, 2023, Defendant L. Chiumento,¹ Acting Superintendent of the New York State Police, and Defendant Richard J. McNally, Justice of the New York Supreme Court, Third Judicial District, respectfully write to provide the Court with a status report regarding the above-referenced case.

As the Court is aware, Plaintiffs here raise constitutional challenges against certain provisions of the Concealed Carry Improvement Act (“CCIA”), some of which are at issue in *Antonyuk v. Chiumento* No. 22-2908 (2d Cir.). On December 8, 2023, the Second Circuit entered a 261-page decision in the *Antonyuk* matter, as well as other cases. A copy of the Second Circuit’s December 8, 2023 decision is filed as an exhibit to this status report.

Defendants are analyzing the Second Circuit’s December 8, 2023 decision, and respectfully request that the Court hold all deadlines in abeyance for a further thirty (30) days. Defendants respectfully propose filing a further status report on January 8, 2024. I have spoken with Connor Blair, counsel for Plaintiffs, who advises that Plaintiffs oppose this request.

Thank you for your assistance in this matter.

Respectfully submitted,

¹ By operation of Federal Rule of Civil Procedure 25(d), Dominick L. Chiumento should be automatically substituted as a Defendant after assuming the office of Acting Superintendent of the New York State Police on October 5, 2023.

Hon. Mae A. D'Agostino
October 11, 2022
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s/ Shannan C. Krasnokutski

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cc: All Counsel of Record by ECF